

MOTOR VEHICLE SERVICE AND REPAIR ACT (EXCERPT)
Act 300 of 1974

***** 257.1332.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 4, 2017 *****

257.1332.amended Written estimate required; consent to excess charge; payment of actual cost if cost less than estimate; cost of returning vehicle to original condition; cost of diagnosis; waiver of rights; display of certificate of repair facility registration; inclusion of registration number on document.

Sec. 32. (1) Before beginning repair work, a motor vehicle repair facility shall give to the customer a written estimate that itemizes as closely as possible the price for labor and parts necessary for the work. A facility shall not charge for work done or parts supplied in excess of the estimated price, or in excess of the limit stated by the customer in the waiver described in subsection (3), without the knowing written or oral consent of the customer, obtained at some time after the facility determines that the estimated price or stated limit is insufficient and before any work that is not estimated or is in excess of the limit is done or the parts that are not estimated or are in excess of the limit are supplied. If a waiver is not signed under subsection (3) and the estimated price is exceeded by not more than 10% or \$50.00, whichever is lesser, the facility is not required to obtain the written or oral consent of the customer for the excess charge unless specifically requested by the customer. This section shall not be construed as requiring a motor vehicle repair facility, mechanic, or mechanic trainee to give a written estimated price if the facility, mechanic, or trainee agrees not to perform the requested repair. If the actual cost of a repair is less than the agreed on estimated cost, the customer shall pay only the actual cost.

(2) If a facility or mechanic informs the customer that the price for repair will exceed the written estimate or the stated limit in the waiver and the customer does not want the repair work performed, the customer is responsible for all reasonable costs to return the vehicle to the condition it was in at the time it entered the facility. The facility shall indicate those costs in written form, itemizing the costs as closely as possible with a copy given to the customer. The cost of a diagnosis made by the facility, whether or not the customer authorizes the facility to perform those repairs, shall be included in the written estimate before the diagnosis is undertaken.

(3) If a customer initiates a request for service or parts for the repair of a motor vehicle without receiving a written estimate and voluntarily agrees to pay all reasonable costs of repair up to an amount stated by the customer, a facility may obtain from the customer a waiver of his or her right to receive a prior estimate of repair costs. The waiver shall be in 14 point or larger bold capital type face and executed with 1 copy to the customer who is requesting the repairs. The waiver shall read as follows:

"I, _____, voluntarily authorize _____ to provide services or parts in the repair of the below described motor vehicle without receiving an estimate of repair costs. By signing this form, I understand that I will give up my right to:

1. Receive a written estimate of the cost for repairs;
2. Approve in advance any repairs or costs with a total cost under \$ _____; and
3. Refuse to pay for repairs with a total cost less than the amount stated above.

The facility may exceed the amount stated above only after I give my written or oral approval.

Motor vehicle description: _____

Customer signature _____

Date _____

Time _____".

(4) A waiver described in subsection (3) is not effective unless it is given by the customer voluntarily and with full knowledge of the implications of the waiver. A motor vehicle repair facility or anyone in its employ shall not make use of a waiver described in subsection (3) in an attempt to evade this act.

(5) A motor vehicle repair facility shall at all times display, in a place and manner conspicuous to its customers, a current and valid certificate of repair facility registration issued by the administrator.

(6) A motor vehicle repair facility shall include its registration number, as assigned by the administrator, on each copy of any instrument, form, contract, or other document used by the applicant in dealing with the public in the repair of motor vehicles, including, but not limited to, all of the following:

- (a) Any document on which the facility routinely requires the customer's signature.
- (b) Any document used by the facility in connection with providing estimates, diagnoses, or repairs.
- (c) Any invoices, warranties, or waivers.
- (d) Any other document used by the facility to comply with this act or rules promulgated under this act.

History: 1974, Act 300, Eff. Apr. 1, 1975;—Am. 1976, Act 12, Imd. Eff. Feb. 20, 1976;—Am. 2016, Act 430, Eff. Apr. 4, 2017.

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